

Senate Study Bill 3218

SENATE FILE _____
BY (PROPOSED COMMITTEE ON
LABOR AND BUSINESS
RELATIONS BILL BY
CHAIRPERSON DEARDEN)

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to workers' compensation provisions for continued
2 medically related benefits in certain settlements of workers'
3 compensation claims and to funding of the second injury fund
4 and providing an effective date.
5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
6 TLSB 6043XC 82
7 av/rj/8

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1 1 Section 1. Section 85.35, Code 2007, is amended by adding
1 2 the following new subsection:
1 3 NEW SUBSECTION. 5A. The parties to any settlement made
1 4 pursuant to this section may agree that the employee has the
1 5 right to benefits pursuant to section 85.27 under such terms
1 6 and conditions as agreed to by the parties in the settlement,
1 7 for a specified period of time after the settlement has been
1 8 approved by the workers' compensation commissioner. During
1 9 that specified period of time, the commissioner shall have
1 10 jurisdiction of the settlement for the purpose of adjudicating
1 11 the employee's entitlement to benefits provided for in section
1 12 85.27 as agreed upon in the settlement.
1 13 Sec. 2. Section 85.65A, subsection 5, Code 2007, is
1 14 amended by striking the subsection.
1 15 Sec. 3. EFFECTIVE DATE. This Act, being deemed of
1 16 immediate importance, takes effect upon enactment.
1 17 EXPLANATION
1 18 This bill relates to provisions for continued medically
1 19 related benefits in certain settlements of workers'
1 20 compensation claims.
1 21 The bill amends Code section 85.35 by allowing parties to a
1 22 settlement for workers' compensation benefits to agree that
1 23 the employee has the right to medically related benefits
1 24 pursuant to Code section 85.27 under such terms and conditions
1 25 as agreed to by the parties in the settlement, for a specified
1 26 period of time after the settlement has been approved by the
1 27 workers' compensation commissioner. During the specified
1 28 period of time, the workers' compensation commissioner retains
1 29 jurisdiction of the settlement for the purpose of adjudicating
1 30 the employee's entitlement to the medically related benefits,
1 31 as agreed upon in the settlement.
1 32 The bill strikes Code section 85.65A(5) which repeals this
1 33 section on July 1, 2008. Code section 85.65A allows
1 34 imposition of a surcharge on employers to fund the workers'
1 35 compensation second injury fund. The bill is effective upon
2 1 enactment.
2 2 LSB 6043XC 82
2 3 av/rj/8.1